



General Assembly

January Session, 2011

***Raised Bill No. 953***

LCO No. 2984

\*02984\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING NONVIOLENT DRUG POSSESSION  
OFFENSES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2011*) Any person who  
2 possesses or has under his control less than one ounce of a cannabis-  
3 type substance, except as authorized in chapter 420b of the general  
4 statutes, shall have committed an infraction.

5 Sec. 2. Subsection (c) of section 21a-279 of the general statutes is  
6 repealed and the following is substituted in lieu thereof (*Effective*  
7 *October 1, 2011*):

8 (c) Any person who possesses or has under his control any quantity  
9 of any controlled substance other than a narcotic substance, or a  
10 hallucinogenic substance other than marijuana or who possesses or has  
11 under his control one ounce or more but less than four ounces of a  
12 cannabis-type substance, except as authorized in this chapter, for a first  
13 offense, may be fined not more than one thousand dollars or be  
14 imprisoned not more than one year, or be both fined and imprisoned;  
15 and for a subsequent offense, may be fined not more than three

16 thousand dollars or be imprisoned not more than five years, or be both  
17 fined and imprisoned.

18 Sec. 3. Subsection (a) of section 21a-267 of the general statutes is  
19 repealed and the following is substituted in lieu thereof (*Effective*  
20 *October 1, 2011*):

21 (a) No person shall use or possess with intent to use drug  
22 paraphernalia, as defined in subdivision (20) of section 21a-240, to  
23 plant, propagate, cultivate, grow, harvest, manufacture, compound,  
24 convert, produce, process, prepare, test, analyze, pack, repack, store,  
25 contain or conceal, or to ingest, inhale or otherwise introduce into the  
26 human body, any controlled substance as defined in subdivision (9) of  
27 section 21a-240. Any person who violates any provision of this  
28 subsection shall [be guilty of a class C misdemeanor] have committed  
29 an infraction.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	21a-279(c)
Sec. 3	<i>October 1, 2011</i>	21a-267(a)

***Statement of Purpose:***

To establish a more rational drug policy by making the possession of less than one ounce of marijuana and the possession or use of drug paraphernalia infractions rather than misdemeanors.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*